

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HUMANE SOCIETY LEGISLATIVE FUND,
et al.,

Plaintiffs,

v.

Case No. 14-10601

RUTH JOHNSON, et al.,

Defendants.

**ORDER DENYING IN PART
PLAINTIFFS' "MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION" AND DIRECTING SERVICE**

On February 9, 2014, Plaintiffs filed their complaint and on the following day, February 10, 2014, Plaintiffs filed a "Motion for Temporary Restraining Order And/Or Preliminary Injunction." The motion states that Plaintiffs sought concurrence from the Michigan Attorney General's Office and will advise the Director of the Bureau of Elections that the motion is being filed. (Pg. ID # 24–24.) Plaintiffs also informed staff that they had attempted to serve the Attorney General but were unsuccessful. The court has reviewed the motion and determined that the requirements for issuing a temporary restraining order under Federal Rule of Civil Procedure 65(b) are not met in this case. Specifically, Plaintiffs' filings fail to establish that "*immediate* and irreparable injury, loss, or damage will result . . . before the adverse party can be heard in opposition." Fed. R. Civ. P. 65(b)(1)(A) (emphasis added). Accordingly,

IT IS ORDERED that Plaintiffs' "Motion for Temporary Restraining Order And/Or Preliminary Injunction" [Dkt. # 2] is DENIED IN PART. Specifically, it is DENIED with respect to the request for a temporary restraining order.

IT IS FURTHER ORDERED that Plaintiffs are DIRECTED to immediately serve the complaint and motion on Defendants and file a return of service forthwith. Upon filing the return of service, the court will direct the parties to appear for a scheduling conference, either by telephone or in chambers.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 11, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 11, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522